

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

EXHIBIT E

EXHIBIT F

EXHIBIT G

EXHIBIT H

EXHIBIT I

EXHIBIT J

EXHIBIT K

EXHIBIT L

EXHIBIT M

EXHIBIT N

EXHIBIT O

EXHIBIT P

EXHIBIT Q

EXHIBIT R

EXHIBIT S

EXHIBIT T

EXHIBIT U

EXHIBIT V

EXHIBIT W

EXHIBIT X

EXHIBIT Y

EXHIBIT Z

IN THE CIRCUIT COURT OF WRIGHT COUNTY, MISSOURI

TRENTON O'GUIN)
Plaintiff)
)
VS.)
)
DOLGENCORP, LLC d/b/a)
DOLLAR GENERAL)
Defendant)

PETITION

PLAINTIFF, by counsel, sets forth his Petition against Defendant as follows:

1. This cause of action is brought pursuant to RSMo § 213.111.
2. The events giving rise to this cause of action occurred in Wright County, Missouri.
3. The amount in controversy exceeds \$25,000.00.
4. Defendant is a Limited Liability Company doing business in Missouri under the name "Dollar General".
5. Plaintiff is a natural person residing in Missouri.
6. Plaintiff has cerebral palsy, which substantially inhibits his range of physical activity.
7. In or about April 2017 Plaintiff applied for a job with Defendant as a cashier at its location in Mountain Grove, Wright County, Missouri.
8. Plaintiff was and is able to perform all of the ordinary requirements of the position of a cashier at Dollar General with reasonable accommodation.
9. About the time Plaintiff applied for the above position, Plaintiff informed Defendant's store manager that Plaintiff had a disability and would require reasonable accommodation.
10. On or about April 24, 2017 Defendant's store manager informed Plaintiff that Defendant was on a "hiring freeze" and would not employ Plaintiff.
11. Defendant did hire individuals for its Mountain Grove location after April 24, 2017.
12. Defendant refused to hire Plaintiff because of Plaintiff's disability or because Plaintiff's requirement for reasonable accommodation due to his disability.
13. Defendant's actions were willful and made with reckless indifference or evil motive.
14. As a result of Defendant's actions, Plaintiff has been damaged.

15. On or about October 19, 2017 Plaintiff filed a Charge of Discrimination with the Missouri Commission on Human Rights. A true and accurate copy is attached hereto as Exhibit 1 and incorporated herein by reference.
16. On or about September 27, 2018 the Missouri Commission on Human Rights issued Plaintiff a Notice of Right to Sue. A true and accurate copy is attached hereto as Exhibit 2 and incorporated herein by reference.

WHEREFORE Plaintiff prays the Court to grant judgment for Plaintiff and against Defendant for Plaintiff's damages, including lost wages, mental and emotional distress, punitive damages, attorney fees, costs, and such other and further relief as is just and proper.

LAMPERT LAW OFFICE, LLC

By: /s/ Raymond Lampert

Raymond Lampert, #57567
2847 S. Ingram Mill Rd., Ste A-100
Springfield, MO 65804
Phone: (417) 886-3330
Fax: (417) 886-8186
Attorney for Plaintiff



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
COMMISSION ON HUMAN RIGHTS
CHARGE OF DISCRIMINATION

Enter Charge Number

☐ FEPA E-1017-48746☐ EEOC 28E-2018-00119C

This form is affected by the Privacy Act of 1974; see Privacy Act Statement before completing this form.

Missouri Commission on Human Rights and EEOC

Name (Indicate Mr., Ms., or Mrs.) Mr. Trenton O'Guin	Date of Birth 7/5/1989	Home Telephone No. (Include Area Code) (417) 547-2479
Street Address RT 71 Box 46A	City, State and Zip Code Norwood, MO 65717	County Douglas

Named below is the Employer, Labor Organization, Employment Agency, Apprenticeship, Committee, State or Local Government Agency who discriminated against me (if more than one list below).

Name Dollar General	No. of Employees/Members >50	Telephone No. (Include Area Code) (417) 926-4346
Street Address 517 W. 3rd St.	City, State and Zip Code Mountain Grove, MO 65711	
Name	No. of Employees/Members	Telephone No. (Include Area Code)
Street Address	City, State and Zip Code	
Cause of Discrimination based on (Check appropriate box(es))		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Sex
<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion	<input type="checkbox"/> Age
<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Other (Specify)
Date Discrimination took Place (Month, Day, Year) April 24, 2017		<input type="checkbox"/> Continuing Action

The Particulars Are (If additional space is needed, attach extra sheet(s)):

I applied for a position as a cashier at the Dollar General in Mountain Grove, Missouri in April 2017. I have cerebral palsy which limits my range of physical activity, but I am able to perform the job as a cashier with a reasonable accommodation. I have a work history of doing the job of a cashier for other employers.

After I applied for the job, I told the store manager that I would need an accommodation for my disability. The store manager told me that I was hired and that I would get a schedule in a week. On or about April 24, 2017 I received a call from the store manager that the company was going on a "hiring freeze" and that I would not be employed there.

I know that the store has hired employees since I was told of the "hiring freeze". I contacted Dollar General's district manager and she told me that the company was not engaged in a hiring freeze at that time. I contacted the corporate office in October 2017 to inform them of this discrimination and the man I spoke with laughed at me and said that I would not win.

I believe I was denied employment and accommodation due to my disability and that the company willingly discriminated against me because of my disability. I am requesting damages, including lost wages, mental and emotional damages, attorney fees, costs, punitive damages, and such other relief as is just and proper.

FILED

OCT 19 2017

☒ I want this charge filed with both the EEOC and the Missouri Commission on Human Rights. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary to meet State and Local Requirements)

Missouri Commission on Human Rights
Jefferson City Office

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

X Trenton O'Guin
Charging Party (Signature)

Date

X _____
Signature of Complainant

Subscribed and sworn to before me this date (Day, month and Year)



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
MISSOURI COMMISSION ON HUMAN RIGHTS

MICHAEL L. PARSON
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

Melody A. Smith, Ed.D.
ACTING COMMISSION CHAIRPERSON

ALISA WARREN, PH.D.
EXECUTIVE DIRECTOR

Trenton O'Guin
Route 71, Box 46a
Norwood, MO 65717

RE: Trenton O'Guin vs. DOLLAR GENERAL
E-10/17-48746 28E-2018-00119C

The Missouri Commission on Human Rights (MCHR) is terminating its proceedings and issuing this notice of your right to sue under the Missouri Human Rights Act because you have requested a notice of your right to sue.

You are hereby notified that you have the right to bring a civil action within 90 days of the date of this letter against the respondent(s) named in the complaint. Such an action may be brought in any state circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred, either before a circuit or associate circuit judge. Not only must any action brought in court pursuant to this right to sue authorization be filed within 90 days from the date of this letter, any such case must also be filed no later than two years after the alleged cause occurred or your reasonable discovery of the alleged cause.

IF YOU DO NOT FILE A CIVIL ACTION IN STATE CIRCUIT COURT RELATING TO THE MATTERS ASSERTED IN YOUR COMPLAINT WITHIN 90 DAYS OF THE DATE OF THIS NOTICE (AND WITHIN TWO YEARS OF THE ALLEGED CAUSE, OR THE DISCOVERY OF THE ALLEGED CAUSE, OF YOUR COMPLAINT), YOUR RIGHT TO SUE IS LOST.

You are also notified that the Executive Director is administratively closing this case and terminating all MCHR proceedings relating to your complaint. You may not reinstate this complaint with the MCHR or file a new complaint with the MCHR relating to the same act or practice, but rather, if you choose to continue to pursue your complaint, you must do so in court as described in this letter. This notice of right to sue has no effect on the suit-filing period of any federal claims.

This notice of right to sue is being issued as required by Section 213.111.1, RSMo, because it has been requested in writing 180 days after filing of the complaint. **Please note that administrative processing of this complaint, including determinations of jurisdiction, has not been completed.**

In addition to the process described above, if any party is aggrieved by this decision of the MCHR, that party may appeal the decision by filing a petition under § 536.150 of the Revised Statutes of Missouri in state circuit court. Any such petition must be filed in the circuit court of Cole County.

Respectfully,

Alisa Warren, Ph.D.
Executive Director

September 27, 2018
Date

C: additional contacts listed on next page



3315 W. TRUMAN BLVD.
P.O. Box 1129
JEFFERSON CITY, MO 65102-1129
PHONE: 573-751-3325
FAX: 573-751-2905

111 N. 7TH STREET, SUITE 903
ST. LOUIS, MO 63101-2100
PHONE: 314-340-7590
FAX: 314-340-7238

P.O. Box 1300
OZARK, MO 65721-1300

1410 GENESSEE, SUITE 260
KANSAS CITY, MO 64102
FAX: 816-889-3582

106 ARTHUR STREET
SUITE D
SIKESTON, MO 63801-5454
FAX: 573-472-5321

Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.

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www.labor.mo.gov/mohumanrights E-Mail: mchr@labor.mo.gov


01.11.19



IN THE 44TH JUDICIAL CIRCUIT, WRIGHT COUNTY, MISSOURI

Judge or Division: R CRAIG CARTER	Case Number: 18WR-CC00060
Plaintiff/Petitioner: TRENTON O'GUIN	Plaintiff's/Petitioner's Attorney/Address RAYMOND BENJAMIN LAMPERT STE A100 2847 S INGRAM MILL RD SPRINGFIELD, MO 65804
Defendant/Respondent: DOLGENCORP LLC, D/B/A DOLLAR GENERAL	Court Address: PO BOX 39 125 COURT SQUARE HARTVILLE, MO 65667
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: DOLGENCORP LLC, D/B/A DOLLAR GENERAL		
Alias:		
100 MISSION RIDGE GOODLETTSVILLE, TN 37072	SERVE: R/A CSC-LAWYERS SERV. CO. 221 BOLIVAR ST., JEFFERSON CITY, MO 65101	D/B/A DOLLAR GENERAL 517 W 3 RD ST MOUNTAIN GROVE, MO 65711
 COURT SEAL OF WRIGHT COUNTY	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.	
	12/05/2018 Date JOE CHADWELL BY <i>Marge Zoper</i> Clerk	
Further Information:		

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

